HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 15678 OF 2006

DATED: 28.7.2006

Between:

Takkolu Padmavathi

… Petitioner

and

The State Election Commission,
Buddha Bhavan, M.G. Road and others

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.15678 OF 2006

ORAL ORDER:

As per the notification dated 15.7.2006, M.P.P. School, Nagireddipalle was the venue identified for location of two polling booths for exercise of franchise in the ensuing elections to the Gram Panchayats of Buggalapalli and Nagireddypalli.

The 2nd respondent-Collector, by a subsequent notification dated 26.7.2006, has shifted the polling booths from Nagireddypalli to Buggalapalli. This shift of the polling booths is assailed on the ground that it is arbitrary and contrary to the instructions issued by the 1st respondent vide circular dated 25.4.2006.

On instructions, the learned counsel representing the 1st respondent states that the 2nd respondent-District Collector has the power, authority and jurisdiction even under the circulars to shift the polling booths, but for rationale reasons. It is also submitted that the villagers of Buggalapalli Gram Panchayat of C.K. Dinne Mandal requested the 2nd respondent-District Collector to set up a separate polling booth for their Ward Nos. 11 and 12 in the village; the 2nd respondent-Collector directed the RDO to make a due enquiry as to the genuineness of the claim of the

villagers and thereafter the notification dated 26.7.2006 was issued shifting the polling booths from Nagireddypalli to Buggalapalli, on a satisfaction that it conduces public interest.

In view of the submissions made on behalf of the 1st respondent as to the reasons for the shifting, no infirmity in the subsequent notification of the 2nd respondent-Collector dated 26.7.2006 is discernible, warranting interference.

The writ petition is accordingly dismissed. No order as to costs.

GODA RAGHURAM, J

Date: 28.7.2006
CVM